

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Charles Russell, Jr. and Loretta Russell,

Debtors.

Case No. 06-45723

Chapter 7

Hon. Phillip J. Shefferly

Charles Russell, Jr. and Loretta Russell,

Plaintiffs,

vs

Adv. No. 06-4638

JP Morgan Chase Bank f/n/a Bank One, NA,
Honorable Diane D'Agostini, Potestivo and Associates,
P.C., Oakland County Deputy Sheriff,

Defendants.

ORDER DISMISSING ADVERSARY PROCEEDING

On May 8, 2006, the Debtors filed Chapter 7 bankruptcy case No. 06-45723. On May 10, 2006, the Debtors filed this adversary proceeding in that bankruptcy case. On May 22, 2006, the Court entered an order dismissing the bankruptcy case for failure to file required documents. Although the bankruptcy case was dismissed at that time, this adversary proceeding remains pending. Under 28 U.S.C., § 157(b)(3), the bankruptcy judge shall determine, on the judge's own motion or on timely motion of a party, whether a proceeding is a core proceeding or is a proceeding that is otherwise related to a case under title 11. Because the Debtors' bankruptcy case was dismissed on May 22, 2006, the Court concludes that this adversary proceeding is neither a core proceeding, nor a proceeding that is otherwise related to a case under title 11. Because of such determination, the Court does not have jurisdiction over this adversary proceeding. Accordingly,

IT IS HEREBY ORDERED that this adversary proceeding is dismissed.

Entered: June 23, 2006

/s/ Phillip J. Shefferly
Phillip J. Shefferly
United States Bankruptcy Judge